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JAPAN AND CHINA.

Agreement concerning mines and railways in Manchuria.--September 4, 1909.

The Imperial Government of Japan and the Imperial Government of China, actuated by the desire to consolidate the relations of amity and good neighborhood between the two countries, by settling amicably the matters of common concern in Manchuria, and by removing for the future all cause of misunderstanding, have agreed upon the following stipulations:

Art. 1.--The Government of China engages that in the event of its undertaking to construct a railway between Hsinmintun and Fakumen, it shall arrange previously with the Government of Japan.

Art. 2.--The Government of China ^{recognizes} that the railway between Tashichao and Yinkow is a branch line of the South Manchuria Railway, and it is agreed that the said branch line shall be delivered up to China simultaneously with the South Manchuria Railway upon the expiration of the term of concession for that main line. The Chinese Government further agrees to the extension of the said branch line to the port of Yinkow.

Art. 3--In regard to the coal mines at Fushun and Yuontai, the Governments of Japan and China are agreed as follows:

(a) The Chinese Government recognizes the right of the Japanese Government to work the said coal mines.

(b) The Japanese Government, respecting the full sovereignty of China, engages to pay to the Chinese Government tax upon coals produced in these mines. The rate of such tax shall be separately

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arranged upon the basis of the lowest tariff for coals produced in any other places of China.

(c) The Chinese Government agrees that in the matter of the exportation of coals produced in the said mines, the lowest tariff of export duty for coals of any other mines shall be applied.

(d) The extent of the said coal mines, as well as all detailed regulations, shall be separately arranged by commissioners specially appointed for that purpose.

Art. 4--All mines along the Antung-Mukden Railway and the main line of the South Manchuria Railway, excepting those at Fushun and Yuontai, shall be exploited as joint enterprises of Japanese and Chinese subjects, upon the general principles which the Viceroy of the Eastern Three Provinces and the Governor of Mukden agreed upon with the Japanese Consul General in the fortieth year of Meiji, corresponding to the thirty-third year of Kuangshu.

Detailed regulations in respect of such mines shall, in due course, be arranged by the Viceroy and the Governor with the Japanese Consul General.

Art. 5.--The Government of Japan declares that it has no objection to the extension of the Peking-Mukden Railway to the city wall of Mukden. Practical measures for such extension shall be adjusted and determined by the local Japanese and Chinese authorities and technical experts.

In witness whereof, the undersigned, etc., etc.

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CERTIFICATE

Statement of Source and Authenticity

I, Hayashi Naoru, Chief of the Archives Section, Japanese Foreign Office, hereby certify that the document hereto attached in English consisting of 2 pages and entitled "Agreement concerning mines and railways in Manchuria, September 4, 1909 is an exact and true except from "Treaties and Agreements with and Concerning China 1894-1919" in Murray, volume I Manchu Period (1894-1911)" in the custody of Japanese Foreign Office"

Certified at Tokyo,
on this 18th day of March 1947.

(signed) " Hayashi
Signature of official

Witness: (signed) K. URADA

滿洲五案件ニ關スル協約

明治四十二年九月四日北京ニ於テ調印(日、支文)
同 年同月八日 官 報 發 印

大日本國政府及大清國政府ハ滿洲ニ於テ雙方共ニ關係ヲ有スル事項ヲ明確ニ議定シ將來ノ誤解ヲ防キ以テ兩國善隣ノ關係ヲ益章固ニセムコトヲ希望シ茲ニ左ノ條款ヲ訂立セリ

第一條 清國政府ハ新民屯法庫門間ノ鐵道ヲ敷設セムトスル場合ニハ豫メ日本國政府ト商議スルコトニ同意ス

第二條 清國政府ハ大石橋營口支線ヲ南滿洲鐵道支線ト承認シ南滿洲鐵道期限満了ノ際一律清國ニ交還スルコト並該支線ノ末端ヲ營口ニ延長スルコトニ同意ス

第三條 日清兩國政府ハ撫順及煙臺兩處ノ炭礦ニ關シ和平商定スルコト左ノ如シ

甲 清國政府ハ日本國政府カ上記兩炭礦探掘權ヲ有スルコトヲ承認ス

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乙 日本国政府ハ清國ノ一切ノ主權ヲ尊重シ並上記兩炭鉱ノ採炭ニ
 對シ清國政府ニ納稅スルコトヲ承認ス右ノ稅率ハ清國他處ノ石炭
 ニ對スル最惠ノ稅率ヲ標準トシ別ニ協定スヘシ

丙 清國政府ハ上記兩炭鉱ノ採炭ニ對シ他處ノ石炭ニ對スル最惠ノ
 稅率ヲ適用スルコトヲ承諾ス

丁 炭鉱ノ區域並一切ノ細則ハ別ニ委員ヲ派シテ協定スヘシ

第四條 安寧鐵道沿線及南滿洲鐵道幹線沿線ノ領事ハ撫順及煙臺ヲ除キ
 明治四十年即光緒三十三年東三省督撫カ日本國總領事ト議定セル大綱
 ヲ按照シ日清兩國人ノ合辦ト爲スヘク其ノ細則ハ追テ督撫ト日本國總
 領事トノ間ニ商頂スヘシ

第五條 京奉鐵道ヲ奉天城根ニ延長スルコトハ日本國政府ニ於テ異議ナ
 キコトヲ聲明ス其ノ實行ノ辦法ハ地方ニ於ケル兩國官憲並專門技師ヲ
 シテ安寧商頂セシムヘシ

右證據トシテ下名ハ各其ノ本國政府ヨリ相當ノ委任ヲ受ケ日本文及漢文
 ヲ以テ作成セル各二通ノ本約ニ記名誌印スルモノナリ

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明治四十二年九月四日

宣統元年七月二十日

北京ニ於テ

大日本國特命全權公使伊集院彥吉（官印）

大清國欽命外務部尙書兼大臣梁敬彥（花押）

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C E R T I F I C A T E

Statement of Source and Authenticity

I, HAYASHI, Kaoru, Chief of the Archives Section,
Japanese Foreign Office, hereby certify that the document
hereto attached in Japanese consisting of 3 pages and
entitled "Agreement concerning five Proposals on Manchuria,
September 4, 1909." is an exact and true copy of an official
document of the Japanese Foreign Office.

Certified at Tokyo,
on this 31st day of January 1946.

/s/ K. Hayashi
Signature of Official

Witness: Nagaharu Odo

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